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Atty. Docket No. 270-109

PTO FAX NO.: 703-872-9306
ATTENTION: Examiner Michael P. Nghiem
Group Art Unit: 2863

OFFICIAL COMMUNICATION

ATTN.: EXAMINER MICHAEL P. NGHIEM

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following document(s) in re Application of Dr. Norm Faiola, Ph.D., et al., Application No. 09/316,651, filed May 21, 1999 for System For Monitoring Sensing Device Data Such As Food Sensing Device Data is being facsimile transmitted to the U. S. Patent and Trademark Office on the date shown below.

Document(s) Attached

1. Response to Record Substance of Telephone Interview (2 Pgs.)

Number of pages being transmitted, including this page: 3

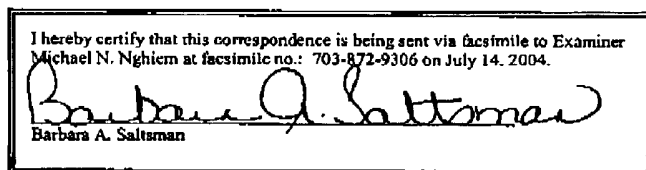
Dated: July 14, 2004


Barbara A. Saltsman

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Attorney Docket No. 270-109
PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/316,651 Confirmation No.: 8093
Applicant: Dr. Norm Faiola, Ph.D., et al.
Filed: May 21, 1999
Art Unit: 2863
Examiner: Michael P. Nghiem
Docket No.: 270-109
Customer No.: 20874

Facsimile to Examiner Michael N. Nghiem
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO RECORD SUBSTANCE OF TELEPHONE INTERVIEW OF
JULY 14, 2004**

Sir:

In a telephone interview of today, July 14, 2004, Examiner Nghiem and applicants' representative George S. Blasiak agreed to an Examiner amendment canceling the rejected independent claims and their associated dependent claims in order to expedite an allowance. The rejected independent claims are 375 and 490. Claims dependent on rejected independent claim 375 are claims 376-379, 455, 468, and 480. Claims dependent on rejected claim 490 are claims 491-499.

Applicants emphasized that the cancellation would be without prejudice or disclaimer. Applicants also emphasized that they reserve the right to pursue the subject matter of the rejected claims in a related application (e.g., a continuation). The Examiner acknowledged

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that the claim cancellation would be without prejudice or disclaimer and further acknowledged applicants' right to pursue the subject matter of the cancelled claims in a related application. The Examiner stated that a Notice of Allowance would be sent on this date, July 14, 2004, upon entry of the Examiner amendment.

Respectfully submitted,

WALL MARJAMA & BILINSKI LLP

Date: July 14, 2004



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